

Santos Caceres

Pro Se

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re.)	Chapter 11
Celsius Network LLC, et al., ¹)	
)	Case No. 22-10964
Debtors.)	
)	(Jointly Administered)

SANTOS CACERES' MOTION TO CERTIFY A CLASS OF CREDITORS FOR
NON-INSIDER CEL TOKEN CLAIM HOLDERS (I) ALLOWING THE
RETENTION OF LEGAL REPRESENTATION PAID BY THE ESTATE (II)
GRANTING RELATED RELIEF

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The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030

Santos Caceres (“Mr. Caceres”) files this motion (The “Motion”) *to Certify a Class of Creditors for Non-Insider CEL Token Claim Holders (I) Allowing the Retention of Legal Representation Paid by the Estate (II) Granting Related Relief*. In support of his motion, *Mr. Caceres* respectfully states support to Otis Davis’ Request for the Formation of a CEL Token Class with Professionals Paid for by the Estate (*Docket 3084*) and the following:

Pro Se Relief

Mr. Caceres repeats and reincorporates his previous requests around *pro se* relief.

Introduction

I am writing on behalf of Non-Insider CEL Token Claim Holders, seeking relief in this Chapter 11 bankruptcy case. I, the undersigned creditor, hereby submit this motion to form a class of creditors in the Chapter 11 bankruptcy proceedings, in accordance with the applicable bankruptcy laws and regulations.

Background

Celsius Network LLC has filed for Chapter 11 bankruptcy protection, and as a creditor holding CEL tokens, I believe it is in the best interest of all parties involved to create a distinct class for the Non-Insider CEL Token creditors. The formation of this

class will facilitate the efficient resolution of issues unique to Non-Insider CEL Token holders, allowing for proper representation and fair treatment in the bankruptcy process.

Justification for Class Formation

Since the beginning of these Chapter 11 Cases, Non-Insider CEL Token Claim Holders have avoided litigation and depleting the Estate assets. However, the Unsecured Creditors Committee (“UCC”) has waited for the late instances of these Bankruptcy processes to pursue the subordination of Non-Insider Cel Token Holders and has forced us to request the certification of a class paid for by the Estate.

Distinct Rights and Interests

Non-Insider CEL Token creditors possess distinct rights and interests that differ from other general creditors. The legal and financial implications of holding non-insider CEL tokens require specialized consideration due to specific mistreatment of a group of creditors, which can be best addressed through the formation of a separate creditor class.

Need for Representation

Forming a specific class for Non-Insider CEL Token creditors will enable the appointment of a representative who can advocate for the interests of this group during the bankruptcy proceedings. This representation will help ensure that our concerns and perspectives are adequately taken into account.

Efficient Adjudication

By grouping Non-Insider CEL Token creditors into a single class, the bankruptcy court can streamline the resolution of issues unique to this group, leading to a more efficient and timely bankruptcy process.

Preservation of Assets

The Non-Insider CEL Token creditors' class will work towards preserving the value of CEL Tokens and protecting the interests of both the creditors and the debtor's estate.

Fair Distribution

The formation of a class will promote fairness in the distribution of any potential recoveries and will safeguard against any potential discrimination faced by Non-Insider CEL Token creditors.

Requested Relief

I, the undersigned Non-Insider CEL Token creditor, respectfully request the following relief from the bankruptcy court: (I) An order establishing a class of non-insider CEL Token creditors (II) Is paid for by the estate (III) can retain professionals to resolve disputes and other matters.

Approval of Class Formation

I request the court to approve the formation of a separate class for Non-Insider CEL Token creditor within the Chapter 11 bankruptcy proceedings.

Appointment of Class Representative

I request the court to allow the class to hire professionals to act on behalf of the Non-Insider CEL Token creditors in all matters concerning the bankruptcy case.

Adequate Representation

I seek assurance that the interests of the Non-Insider CEL Token creditors will be appropriately represented throughout the bankruptcy process.

Fair Treatment

I ask the court to ensure fair and equitable treatment of Non-Insider CEL Token creditors in any potential distribution of assets or plan of reorganization.

Conclusion

The formation of a class of creditors for Non-Insider CEL Token holders is essential to safeguard our rights, interests, and investments in this case. We believe that this motion will contribute to the fair and efficient administration of the Chapter 11 bankruptcy proceedings.

We sincerely hope for the court's favorable consideration of this motion and are willing to cooperate in any way necessary to facilitate the process.

For all the aforementioned reasons, this Motion should be **GRANTED**.

Respectfully Signed,

Santos Caceres, *Pro Se*

07/31/2023

/s/ Santos Caceres

CERTIFICATE OF SERVICE

I certify that of Sunday July 31th, 2023, a true and correct copy of Santos Caceres' motion (the "Motion") to Certify a Class of Creditors for Non-Insiders CEL Token Claim Holders (I) Allowing the Retention of Legal Representation Paid by the Estate (II) *Granting Related Relief* was filed with the clerk of the United States Bankruptcy court in the Southern District of New York served upon the Core/2002 service list by electronic mail, in accordance with the SDNY Bankruptcy Court *Amended Final Order (I) Establishing Certain Notice, Case Management And Administrative Procedures, And (II) Granting Related Relief (ECF Docket No. 1181)*.

Respectfully Signed,

Santos Caceres, *Pro Se*

07/31/2023

/s/ Santos Caceres